

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Monterey Bay Homes, LLC,)	Civil Action No.: 4:12-cv-00891-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Palmetto Design Group, LLC,)	
)	
Defendant.)	
_____)	

Plaintiff Monterey Bay Homes, LLC filed this action on March 29, 2012, and served its amended complaint on Defendant Palmetto Design Group, LLC. Defendant did not file an answer or otherwise appear in this action. The Clerk of Court accordingly issued an entry of default as to Defendant on September 27, 2012. ECF No. 41. When Plaintiff filed a motion for default judgment, the Court denied Plaintiff's motion *without prejudice* "pending the conclusion of this action against the remaining defendants." See ECF Nos. 43, 48. Plaintiff's claims against those remaining defendants were dismissed on April 29, 2014. ECF No. 124. On that day, the Court gave notice to Plaintiff that Plaintiff's claims against Defendant would be dismissed *with prejudice* unless Plaintiff renewed its motion for default judgment by Monday, May 5, 2014. See Fed. R. Civ. P. 41(b). No motion was filed by the deadline. **IT IS THEREFORE ORDERED** that Plaintiff's claim against Defendant Palmetto Design Group is **DISMISSED** *with prejudice*.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell
United States District Judge

May 6, 2014
Florence, South Carolina